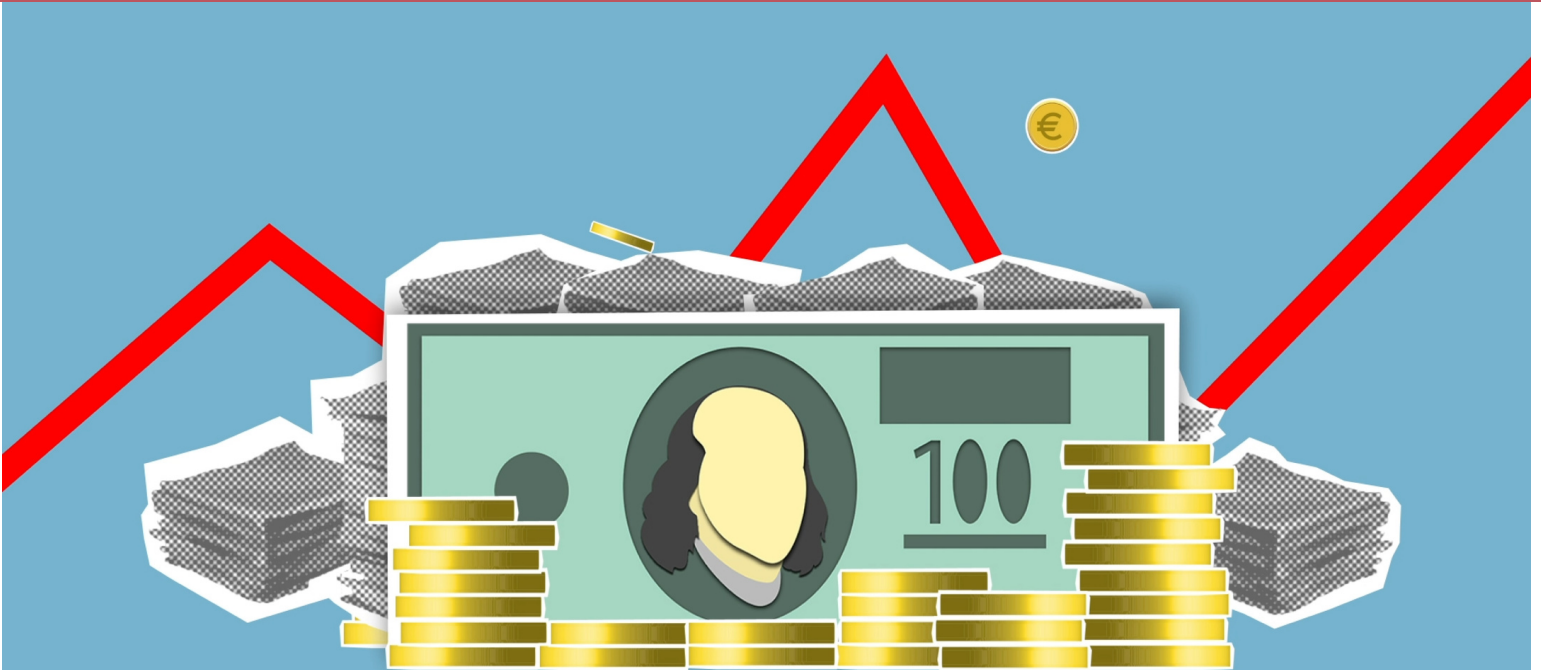


# CA DURGESH KUMAR KABRA

THE MONTHLY MONITOR

**JUNE 2022**



- COMPLIANCE DUE DATE CALENDAR
- UPDATES IN GOODS AND SERVICES TAX LAW
- UPDATES IN MINISTRY OF CORPORATE AFFAIRS
- UPDATES IN INCOME TAX LAW
- UPDATES IN SECURITIES AND EXCHANGE BOARDS OF INDIA
- KNOWLEDGE BOOSTER

**"A person doesn't know how much he has to be thankful for until he has to pay taxes on it."**



**INSIGHT!**

# DISCLAIMER

- I, Durgesh Kumar Kabra by means of this information is not rendering any professional advice or service whatsoever.
- I have taken reasonable care to ensure that the information provided is accurate. Every effort has been made to avoid errors or omissions in this NEWSLETTER. In spite of this, errors may creep in. Any mistake, error or discrepancy noted maybe brought to our notice which shall be taken care of in our next edition.
- I take no legal responsibility for any consequential incidents that may arise from errors or omissions contained in this information.
- This is prepared based on the information available with Durgesh Kumar Kabra at the time of preparing the same, which is subject to changes that may directly or indirectly impact the information provided. It is suggested that to avoid any doubt the reader should cross-check all the facts, laws and contents of the book with original Government Publication or notifications.
- I am under no obligation whatsoever to update or revise this information provided herein.
- This information provided is for intended recipient for knowledge and guidance purpose only.
- Neither me nor any person associated with me is responsible for any loss due to the information provided here. I recommend you to seek more clarity depending upon your business requirements.





The Business entity such as Proprietary Concerns/ Partnership Firms/ LLP/ AOP/ HUF/ Companies, etc. has to follow various statutory compliances monthly/quarterly/half-yearly/annually, as the case may be. For the benefit of all and timely compliances related to various laws applicable to be followed for the month of JUNE are listed below:

STATUE	PURPOSE	COMPLIANCE PERIOD	DUE/ EXTENDED DATE	EVENT DETAILS
Income Tax	TDS/TCS Deposit	May, 2022	07 <sup>th</sup> June,2022	Due date of depositing TDS/TCS for previous month
GST	GSTR- 7	May, 2022	10 <sup>th</sup> June,2022	Return to be filed by the person who is required to deduct TDS under GST
GST	GSTR-8	May, 2022	10 <sup>th</sup> June,2022	Return to be filed by the e-commerce operators who are require to deduct TCS under GST
GST	GSTR-1	May, 2022	11 <sup>th</sup> June,2022	Filing of returns by reg. persons with aggregate turnover exceeding INR. 1.5 Crores or opted for monthly filing of return under QRMP
GST	GSTR 1 (IFF)	May, 2022	13 <sup>th</sup> June,2022	GST Return for the taxpayers who opted for QRMP scheme
GST	GSTR 6	May, 2022	13 <sup>th</sup> June,2022	GST filing of return by Input service distributors

Income Tax	TDS Certificate	April, 2022	14 <sup>th</sup> June,2022	Due date for issue of TDS Certificate for tax deducted under section 194-IA, 194-IB, 194M in the month of March, 2022
Income Tax	Form No. 3BB	May, 2022	15 <sup>th</sup> June,2022	Due date for furnishing statement in form no. 3BB by a stock exchange in respect of transactions in which client codes have been modified after registering in the system for the month of May, 2022
Income Tax	TDS Certificates	Quarter ending March 2022	15 <sup>th</sup> June,2022	Quarterly TDS certificates (in respect of tax deducted for payments other than salary) for the quarter ending March, 2022
Income Tax	TDS Certificate (Salary)	FY 2021-22	15 <sup>th</sup> June,2022	Certificate of tax deducted at source to employees in respect of salary paid and tax deducted during Financial Year 2021-22
ESI, 1948	ESI	May, 2022	15 <sup>th</sup> June,2022	Due Date for the payment of Employee State Insurance Contributions
Provident Fund, 1952	PF	May, 2022	15 <sup>th</sup> June,2022	Due date for the payment of PF contribution
Income Tax	Form 24 G	May, 2022	15 <sup>th</sup> June,2022	Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of May, 2022 has been paid without the production of a challan
Income Tax	Advance Tax	AY 2023-24	15 <sup>th</sup> June, 2022	First instalment of Advance Tax

GST	GSTR 5 & 5A	May, 2022	20 <sup>th</sup> June,2022	GST filing by Non-Resident Taxpayers and ODIAR services provider
GST	GSTR 3B	May, 2022	20 <sup>th</sup> June,2022	GST filing by registered person having an annual turnover more than Rs. 5 Crores
GST	GSTR 3B	May, 2022	20 <sup>th</sup> June,2022	GST filing by registered person having an annual turnover up to Rs. 5 Crores in previous year (Monthly filing)
Income Tax	Form 3CEK	FY 2021-22	29 <sup>th</sup> June, 2022	Due date for e-filing of a statement (in Form No. 3CEK) by an eligible investment fund under section 9A in respect of its activities in financial year 2021-22
Income Tax	TDS Challan cum statement	May, 2022	30 <sup>th</sup> June,2022	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194-IB and 194M in the month of May, 2022
Companies Act, 2013	Form- 11	FY 2021-22	30 <sup>th</sup> June,2022	Due date for annual returns of LLP
Income Tax	STT	FY 2021-22	30 <sup>th</sup> June, 2022	Return in respect of securities transaction tax for the financial year 2021-22
Income Tax	Non TDS Return by banking company	Quarter ending March 2022	30 <sup>th</sup> June, 2022	Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending March 31, 2022
Income Tax	Form 64C	PY 2021-22	30 <sup>th</sup> June, 2022	Statement to be furnished (in Form No. 64C) by

				Alternative Investment Fund (AIF) to units holders in respect of income distributed during the previous year 2021-22
Income Tax	Report by public sector Company	FY 2021-22	30 <sup>th</sup> June, 2022	Report by an approved institution/public sector company under Section 35AC(4)/(5) for the year ending March 31, 2022
MCA	DPT 3	FY 2021-22	30 <sup>th</sup> June,2022	For the companies who have taken outstanding loans
Income Tax	Form 64B	FY 2021-22	30 <sup>th</sup> June,2022	Due date for furnishing of statement of income distributed by business trust to its unit holders during the financial year 2021-22. This statement is required to be furnished to the unit holders in form No. 64B
Income Tax	Equalisation levy statement	FY 2021-22	30 <sup>th</sup> June,2022	Furnishing of Equalisation Levy statement for the Financial Year 2021-22



➔ **Module wise new functionalities deployed on the GST Portal for taxpayers**

- Various new functionalities are implemented on the GST Portal, from time to time, for GST stakeholders. These functionalities pertain to different modules such as Registration, Returns, Advance Ruling, Payment, Refund and other miscellaneous topics. Various webinars are also conducted as well informational videos prepared on these functionalities and posted on GSTNs dedicated YouTube channel for the benefit of the stakeholders.
- To view module wise functionalities deployed on the GST Portal and webinars conducted/ Videos posted on our YouTube channel, refer to table below:

SI No.	Taxpayer functionalities deployed on the GST Portal during	Click on the link below:
1	January - March, 2022	<a href="#">link</a>
2	December, 2021	<a href="#">link</a>
3	November, 2021	<a href="#">link</a>
4	July - September, 2021	<a href="#">link</a>
5	May - June, 2021	<a href="#">link</a>
6	January - March, 2020	<a href="#">link</a>
7	January - March, 2022	<a href="#">link</a>
	Compilation of GSTN YouTube Videos posted from January-December, 2020	<a href="#">link</a>

→ **GSTN introduced 6% Slab on certain goods.**

- A new tax rate of 6% IGST or 3% CGST+ 3% SGST has been introduced on certain goods vide Notification No. 02/2022 dated 31st March 2022. Changes are being made on the GST portal to include this rate in GSTR-1. As a temporary measure, taxpayers who have to report goods at this rate may do so by reporting the entries in the 5% heading and then manually increasing the system computed tax amount to 6%. This can be done by entering the value in the 'Taxable value' column next to 5% tax-rate and then increasing the system computed tax-amount to 6% IGST or 3% CGST + 3% SGST in the 'Amount of Tax' column under the relevant Table, namely B2B, B2C or Export, as applicable. This will ensure that correct tax amount is reported in GSTR-1. Meanwhile, this rate will be made available on the GST portal shortly.

→ **Addition of 6% tax rate in GSTR-1 online**

- It may be noted that 6% tax rate has been added in the item details section of all the tables of form GSTR-1, except HSN table 12. In case your outward supplies attracts 6% tax rate, you are required to upload the details against 6% tax rate in the item details section.
- In respect to HSN table 12 of form GSTR-1, 6% tax rate shall be added shortly. Meanwhile, you may report the HSN details of supplies attracting 6% tax rate under tax rate 5% by updating the values/tax amounts as per the actual supplies made by you.

→ **GSTN enables functionality of AATO for the FY 2021-22**

- The functionality of AATO for the FY 2021-22 has now been made live on taxpayers' dashboards with the following features:
  - The taxpayers can view the exact Annual Aggregate Turnover (AATO) for the previous Financial Year (FY).
  - The taxpayers can also view the Aggregate Turnover of the current FY based on the returns filed till date.



- The taxpayers have also been provided with the facility of turnover updation in case taxpayers feel that the system calculated turnover displayed on their dashboard varies from the turnover as per their records.
- This facility of turnover update shall be provided to all the GSTINs registered on a common PAN. All the changes by any of the GSTINs in their turnover shall be summed up for computation of Annual Aggregate Turnover for each of the GSTINs.
- The taxpayer can amend the turnover twice within the month of May, 2022. Thereafter, the figures will be sent for review of the Jurisdictional Tax Officer who can amend the values furnished by the taxpayer wherever required.



- **LLP annual return form -11 due date extended**

The ministry has received representation seeking extension on timelines for filing the annual return (Form 11) by LLPs without paying additional fees. In view of transition from version -2 of MCA 21 to version-3 and to promote compliances on part of LLPs, it has been decided to allow LLPs to file e-form 11 (Annual return of Limited Liability Partnership) for the financial year 2021-22 without paying additional fees up to 30th June, 2022.

- **What is Form -11?**

LLP Form 11 is annual return of Limited Liability partnership (LLP). The return must be e- filed each year with the Ministry of Corporate Affairs to maintain compliances and avoid penalty. LLP annual return must be filed electronically and taken on record. It is important to ensure that all the information filed in the Form is correct as there is no provision for resubmission of LLP Form -11 Annual Return.

LLP form -11 is due within 60 days of financial year end. Since all LLPs have 31st March as the closure of financial year, LLP Annual Return Form 11 is due on the 31st May of each year. (Extended to 30th June 2022 for financial year 2021-22)

- **MCA allows LLPs to file event based e-forms without additional fees**

In view of the changeover from MCA 21 version 2 to version 3, the Ministry of company affairs has received the request of extensions of time for LLP to file event based forms without incurring additional fees. Keeping in view these representations and to promote compliance on part of the LLPs it has been decided to allow LLPs to file various event based LLP e-forms, due dates of which are falling between 25th February, 2022 and 31st May, 2022, without paying additional fees up to 30th June 2022.

- **Companies (Auditor's Report) Order, 2020**

**Key changes & disclosure requirements**

CARO 2020 has increased the responsibility of the auditor all the more. One may refer to Para 3(ii)(b) of CARO, 2020 which now requires the auditor to report as to whether the quarterly returns or statements filed by the company with such banks or financial institutions are in agreement with the books of account of the Company, if not, give details.

**CARO 2022:**

The order is applicable to all companies which were covered by CARO 2016. Accordingly, the order applies to all the companies except the following companies specifically excluded from its purview:

- a) One Person Company (OPC) as defined in clause (62) of section 2 of the Companies Act.
- b) Small company as defined in clause (85) of section 2 of the Companies Act. (Companies with paid up capital less than/equal to Rs 50 lakh and with a last reported turnover is less than/equal to Rs 2 Crore.)
- c) Banking company as defined in clause (c) of section 5 of the Banking Regulation Act, 1949
- d) A company licensed to operate under section 8 of the Companies Act

- e) An insurance company as defined under the Insurance Act, 1938.
- f) The following private limited companies not being a subsidiary or holding company of a public company, are also exempt from the requirements of CARO, 2020.
  - Which does not have a total revenue as disclosed in Scheduled III to the Companies Act (including revenue from discontinuing operations) exceeding ten Crore rupees during the financial year as per the financial statements and
  - Which does not have a paid up capital and reserves and surplus not more than one Crore rupees as on the balance sheet date and
  - Which does not have total borrowings exceeding one Crore rupees from any bank or financial institution at any point of time during the financial year.
- **Applicability of the CARO Order on Consolidated Financial Statements**

The Order specifically provides that it shall not apply to the auditor's report on consolidated financial statements except for clause (xxi) of paragraph 3. This means that the auditor will need to give a CARO report on the consolidated financial statements with respect to clause (xxi) of the Order only. Thus, the auditor is not required to report on rest of the clauses of paragraph 3.



→ **SEBI comes out with new format for security cover certificate, revise timeline**

- With an aim to provide a holistic picture of all borrowings and the status of encumbrance on the assets of listed entities, capital markets regulator SEBI on Thursday came out with a new format for disclosing security cover to stock exchange and debenture trustee. Also, the regulator has put in place obligations of listed entity and debenture trustee (DT) with respect to preparation and submission of security cover format.
- In addition, SEBI has revised timelines of submission of security cover certificate, valuation report and quarterly compliance report, and regulatory compliance by debenture trustees.
- This comes after representations were received from issuers, debenture trustee(s) as well as other market participants on issues related to operational challenges faced in complying with certain provisions of circulars and have also given suggestions on strengthening such requirements.

## → Overview of the global financial market

### • Global

- As per IMF World Economic Outlook report – April 2022, global economic growth is projected to slow down to 3.6 per cent in 2022 and 2023 (as compared to projections of 4.4 per cent in 2022 and 3.8 per cent in 2023, in January 2022 report). Growth in emerging markets and developing economies is estimated at 3.8 per cent in 2022 and 4.4 per cent in 2023.
- The Russia-Ukraine conflict has dented the global economic recovery significantly as fuel and food prices have increased rapidly, affecting the vulnerable populations—particularly in low income countries.
- The report finds that barring a few exceptions, employment and output will typically remain below pre-pandemic trends through 2026 and the scarring effects are expected to be much larger in emerging market and developing economies than in advanced economies.
- The JPMorgan Global Composite Output Index, declined to 51.0 in April 2022, from 52.7 in previous month, due to decline in new export business, increase in input costs as well as output prices.

### • India

- As per second advance estimates of National Income for 2021-22 released by MOSPI on Feb 28, 2022, real GDP growth for 2021-22 is estimated at 8.9 percent as compared to a contraction of 6.6 percent in 2021.
- In its Global Macro update to growth forecasts in May 2022, S&P Global Ratings cut India's growth projection to 7.3 per cent in 2021-22 from 7.8 per cent earlier, on rising inflation and the longer than-expected Russia-Ukraine conflict. The GDP growth was pegged at 6.5 per cent in 2022-23.
- CPI inflation (provisional) in April 2022, increased to 7.79 per cent from 6.95 per cent in previous month.
- As per quick estimates released by MOSPI on May 12, 2022, IIP increased by 1.9 per cent (Y-o-Y) in March 2022 as compared to 1.5 per cent increase in previous month.



## • Income chargeable to tax under the head ‘House Property’

### Section 22

Section 22 provides for taxation of ‘annual value’ of a property consisting of any buildings or lands appurtenant thereto. The term ‘buildings’ includes any building- office building, godown, storehouse, warehouse, factory, halls, shops, stalls, platforms, cinema halls, auditorium etc. as long as they are not used for business or profession by owner. Land appurtenant includes land adjoining to or forming a part of the building.

### Rental Income from Sub Letting

Rental income in the hands of owner is charged to tax under the head “Income from house property”. Rental income of a person other than the owner cannot be charged to tax under the head “Income from house property”. Hence, rental income received by a tenant from sub-letting cannot be charged to tax under the head “Income from house property”. Such income is taxable under the head “Income from other sources” or profits and gains from business or profession, as the case may be.

### Deemed Owner (section 27)

Section 27 provides that the following persons are to be treated as deemed owner of House property for the purpose of charging tax under Income from house property:

- Property transfer to spouse (not being in connection with agreement to live apart) or minor child (not being a married daughter) without adequate consideration then transferor would be deemed as owner of the property.
- The holder of impartible estate is deemed as owner of the property.
- A member of co-operative society, company or other association of persons to whom a building (or part of it) is allotted or leased under house building scheme of the society, company or association, as the case may be, is treated as deemed owner of the property.
- A person acquiring property by satisfying the conditions of section 53A of the Transfer of Property Act, will be treated as deemed owner (although he may not be the registered owner).

### **Determination of 'annual value' of the property (Section 23)**

'Annual Value' is inherent capacity of property to yield income. The inherent capacity has been defined as the sum for which the property might reasonably be expected to be let from year to-year. It is not necessary, that the property should be actually let. It is also not necessary that the reasonable return from property should be equal to the actual rent realized when the property is, in fact, let out. Under Section 23 (1) of the Income tax Act, annual value of property shall be deemed to be the following:

- i)The sum for which the property might reasonably be expected to be let out from year to year;
- ii)Where the property or any part of the property is let and the actual rent received or receivable by the owner in respect thereof is in excess of the sum referred to in clause (a), the amount so received or receivable.
- iii)Where the property or part of the property is let and was vacant during the whole or any part of the previous year and, owing to such vacancy, the actual rent received or receivable by the owner in respect thereof is less than the sum referred to clause (a) the amount so received or receivable.



# CA DURGESH KUMAR KABRA

Chartered Accountant

## Address:

803-804, Ashok Heights, Nicco Circle, Near  
Bhuta School, Old Nagardas Road, Gundavali,  
Andheri East, Mumbai - 400069

**PHONE NO.:** 022-26824800 / 4900

**MOBILE NO. :** +91 9869015418

**E-MAIL ID.:** [durgeshkabra@dmkhca.in](mailto:durgeshkabra@dmkhca.in)  
[durgeshkabra@gmail.com](mailto:durgeshkabra@gmail.com)

Follow me on:

